

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

| | | |
|-----------------------------|---|-------------------------|
| RICOH COMPANY, LTD. and |) | |
| RICOH AMERICAS CORPORATION, |) | |
| |) | |
| Plaintiffs and |) | |
| Counter-Defendants, |) | |
| |) | |
| v. |) | C.A. No. 09-694-SLR-MPT |
| |) | |
| OKI DATA CORPORATION and |) | |
| OKI DATA AMERICAS, INC., |) | |
| |) | |
| Defendants and |) | |
| Counter-Plaintiffs. |) | |

**OKI DATA CORPORATION AND OKI DATA AMERICAS, INC.’S
MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF
U.S. PATENT NOS. 7,508,533, 6,163,669, AND 5,764,864**

Pursuant to Rule 56 of the Federal Rules of Civil Procedure, Defendants and Counter-Plaintiffs Oki Data Corporation and Oki Data Americas, Inc. (collectively “Oki Data”) respectfully move for summary judgment that claim 1 of U.S. Patent No. 7,508,533 (“the ‘533 Patent”), claims 1, 15 and 29 of U.S. Patent No. 6,163,669 (“the ‘669 Patent”), and claims 1 and 2 of U.S. Patent No. 5,764,864 (“the ‘864 Patent”) are invalid, and further move for summary judgment that the ‘533 Patent was conceived and reduced to practice no earlier than January 31, 1996.

The grounds for this motion are fully set forth in Oki Data’s opening brief in support of this motion. A proposed order is attached hereto.

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Dated: July 19, 2011

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[PROPOSED] ORDER

At Wilmington this _____ day of _____, 2011, the Court having considered the motion of Defendants and Counter-Plaintiffs Oki Data Corporation and Oki Data Americas, Inc. (collectively "Oki Data"), pursuant to Rule 56 of the Federal Rules of Civil Procedure, for summary judgment;

IT IS ORDERED that the Motion is GRANTED. Specifically, the Court finds that:

1. Claim 1 of the '533 Patent is invalid under 35 U.S.C. §§ 101 and 112.
2. The '533 Patent is not entitled to a conception and reduction to practice date that is earlier than January 31, 1996.
3. Claims 1, 15, and 29 of the '669 Patent are invalid because they are anticipated.
4. Claims 1 and 2 of the '864 Patent are invalid because they are indefinite to one of skill in the art.

UNITED STATES DISTRICT JUDGE